

**Notice of Allowability**

Application No.

10/078,350

Applicant(s)

ASANO ET AL.

Examiner

Art Unit

Naresh Vig

3629

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to response received 04 April 2007.
2. ☒ The allowed claim(s) is/are 3 and 8.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

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## **DETAILED ACTION**

### ***Drawings***

The drawings have been approved by the examiner.

### **REASONS FOR ALLOWANCE**

The following is an examiner's statement of reasons for allowance:

Applicant's invention is directed to Storage Services wherein based upon user's request a proposal is made. If the user's requirements cannot be satisfied, next-best storage set-up proposal, which satisfy the users' requirements to a considerable extent but not perfectly, is presented to the user. An administrative computer, which manages usage of storages, always keeps track of the usage by monitoring the storages at any time. In creating the proposed storage set-up, if the storage set-up, which satisfies the requirements by the user requesting the storage set-up, can be created by changing an existing user's storage set-up, the SSP proposes that storage set-up to the user. If the user requests a new set-up and the user's requirements are satisfied by changing the existing user's use conditions, the SSP presents the proposed set-up for changing use conditions. If the existing user agrees with a change of conditions based on the proposed set-up, the SSP informs to the user requesting the storage set-up that the

storage area can be configured based on the created set-up. The SSP applies a discount to the existing user, who agreed with the change, in return.

**Claim 8 is method claim, and Claim 3 is the system claim of the method claim 8.**

**Prior Art Johnson (US Patent 6,067,525) teaches:**

system and method for providing the storage rental services for the storage operational system, which administers the computers and the storage devices connected to the computers;

getting information on said current status of storage usage of said storage devices;  
getting the users' set-up requirements for said storage devices;

creating proposed set-ups for storage spaces on said storage devices based on said set-up requirements by the users and said information on current status of storage usage of said storage devices for presenting to the users;

setting prices to be charged to the users for the said created proposed set-ups of said storage spaces on said storage devices

making the users select any of said created, proposed set-ups of said storage spaces on said storage devices; and

setting said storage spaces on said storage devices depending on the selection.

**Prior Art Johnson (US Patent 6,067,525) does not teach:**

creating next-best proposed set-ups partially satisfying said users' requirements for set-ups by following said procedure for creating proposed set-ups if all of said requirements cannot be satisfied, and are presented to the users,

negotiating with other users, which already have assigned storage devices, about modification to the use conditions for storage devices assigned to them to change the set-ups for said storage devices assigned to such other users;

changing the set-ups for storage devices assigned to the other users depending on the result of the negotiation; and

applying discount prices for the usages of said storage devices by users issuing set-up requirements based on the change to the set-ups of the other users.

**Prior Art Carino et al. article The Data management Service Provider teaches:**

system and method for providing the storage rental services for the storage operational system, which administers the computers and the storage devices connected to the computers;

getting information on said current status of storage usage of said storage devices;  
getting the users' set-up requirements for said storage devices;

creating proposed set-ups for storage spaces on said storage devices based on said set-up requirements by the users and said information on current status of storage usage of said storage devices for presenting to the users;

setting prices to be charged to the users for the said created proposed set-ups of said storage spaces on said storage devices

making the users select any of said created, proposed set-ups of said storage spaces on said storage devices; and

setting said storage spaces on said storage devices depending on the selection.

**Prior Art Carino et al. article The Data management Service Provider does not teach:**

creating next-best proposed set-ups partially satisfying said users' requirements for set-ups by following said procedure for creating proposed set-ups if all of said requirements cannot be satisfied, and are presented to the users,

negotiating with other users, which already have assigned storage devices, about modification to the use conditions for storage devices assigned to them to change the set-ups for said storage devices assigned to such other users;

changing the set-ups for storage devices assigned to the other users depending on the result of the negotiation; and

applying discount prices for the usages of said storage devices by users issuing set-up requirements based on the change to the set-ups of the other users.

**Prior Art Akiyoshi et al. Japanese Publication 11-212930 teaches:**

system and method for wherein after the negotiation, a plan is selected, and, consumed quantity is updated in the administrative system.

**Prior Art Akiyoshi et al. Japanese Publication 11-212930 does not teach:**

creating next-best proposed set-ups partially satisfying said users' requirements for set-ups by following said procedure for creating proposed set-ups if all of said requirements cannot be satisfied, and are presented to the users,

negotiating with other users, which already have assigned storage devices, about modification to the use conditions for storage devices assigned to them to change the set-ups for said storage devices assigned to such other users;

changing the set-ups for storage devices assigned to the other users depending on the result of the negotiation; and

applying discount prices for the usages of said storage devices by users issuing set-up requirements based on the change to the set-ups of the other users.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naresh Vig whose telephone number is (571) 272-6810. The examiner can normally be reached on Mon-Thu 7:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read "Naresh Vig", with a stylized flourish at the end.

Naresh Vig  
Examiner  
Art Unit 3629

June 11, 2007